

JAMES CONLEY, Sworn for the State. I am now in the Fulton County jail, where I have been ever since the trial of Mr. Frank in July of last year. I am located in the wing on the North side of the jail on the first floor. No other person is kept in there with me. I know Annie Maud Carter, who was a negro woman prisoner and who stayed in the jail for a few months. The first time I saw her was upon one occasion when I was carried up to the court house for trial. I was not tried at this time, however. I saw her in the jail a number of times after that. I never talked with Annie Maud Carter about all of my affairs. I never discussed my case with Annie Maud Carter. At one time she tried to talk to me about the case, and asked what I expected they would do with me, and I told her I didn't know. It is not true that I told Annie Maud Carter that only God knew who did the murder; nor did I tell her that I was so near guilty that I felt lost and that I had lost all hope. I did not have all confidence in her, nor tell her any secrets. I was warned by a negro named Fred Perkerson, who was also a prisoner in jail, that Annie Maud Carter was crooked. She had told me that the first man she ever had anything to do with was a Jew and that she could count the negroes she had ever had anything to do with. She did suggest to me that she would marry me right here in the jail if I would consent. She talked to me usually through the bars of my cell door, which was usually kept locked. It is not true that during Christmas week that I told her that I would make any statement to her if she would marry me. I did not tell her that I murdered Mary Phagan; nor did I tell her that it was so plainly shown on Mr. Frank that I let it go that way; nor did I tell her that I and Mr. Frank both had connection with the girl; or that I lied when she claims that I said that Mr. Frank had connection with the girl. I did not make any statement like that to her, nor did I tell her that I done it all by myself, and never to say anything about it. Nor did I tell her that I first choked Miss Mary Phagan, and after she was unconscious, I had connection with her, or that she was young and never having had anyone that I had to tear her privates; ar [sic] that I was sitting on tha[t] box when the girl came down; nor that I had called her and when she turned back that I then struck her with my fist knocking her down and dragging her back where they put rubbers on pencils. It is not true that I told Annie Maud Carter that finding Mr. Frank absent, I dropped Miss Mary Phagan through the hole and that I then took Miss Mary Phagan around by the furnace and started to put her in the furnace but that my conscience would not let me do so; nor did I tell Annie Maud Carter that I put Miss Mary Phagan down there to make people believe that Newt Lee done it; nor that afterwards I found a piece of blank paper and tore it in two and picked up a pencil and put the paper on the cellar door and wrote the notes that were found by the body of Miss Mary Phagan; nor did I tell Annie Maud Carter that I first took the notes and put them in Miss Mary Phagan's bosom, and that I then took them out and layed them by her side; nor that I then took a thing they opened boxes with pulled the staple out of the back dooe [sic] and went out of the door, going over to Broad St. to get a glass of beer; nor is it true that I told Annie Maud Carter that I went back to the factory to make people believe that I was innocent but that the truth must come to light; nor that I wanted to save Mr. Frank by saying that I helped move the body of Miss Mary Phagan, but that I know that would not work; nor that afterwards I went and got drunk and started to leave town and that I knew that that would not do, and that I stayed in Atlanta to show that I was not guilty. It is not true that I told Annie Maud Carter not to say anything about this, that I wanted to serve my twelve months and be free, and that if I could not get Annie Maud Carter, that I would go North and marry some white woman around Cincinnati. It is not true that I told Annie Maud Carter that I kept the money that was in Miss Mary Phagan's purse, and that I gave the purse to a negro child; nor did I ask Annie Maud Carter to be with me; nor did she tell me "no, that was what got you in jail". I did not make these statements to Annie Maud Carter, either in substance or in any other like language. I further state that if Annie Maud Carter states that same is true, that she is misstating facts. I further state that such statements are untrue and are not the facts, that I did not do the things above stated, nor did I tell her that I done them. I know Dr. Wren, knew him while he was a prisoner in the Fulton County jail. I have seen him and Annie Maud Carter talking together in the jail on the first floor. Dr. Wren has delivered to me in my cell wing upon several occasions, notes from Annie Maud Carter. He would sometimes bring them into my cell wing at night and throw them in on

my bunk and tell me that Annie Maud Carter had sent them to me. At one time I saw him throw a note from the second floor, where he was standing, immediately in front of Mr. Frank's cell and Annie Maude threw the notes to me. I have been bothered by people coming into my cell wing; sometimes Deputy Roberts would bring people in as if he were showing them the heating system, and lots of times when he would come in and go out he would leave the cell wing door open or unlocked, and others would come in. Some Jews have been in my cell wing, and Mr. Darley from over at the pencil factory, has been one of those who have come into my cell wing. Dr. Wren's brothers have both been in my cell wing, and he himself was in my cell wing frequently while he was in jail as a prisoner. In this way Annie Maud Carter did come into my cell wing once and stayed a short time. It is not true that I saw J. W. Boozer on Peters St. on April 26, 1913.